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Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91203690
Party	Defendant The Hendler Law Firm, P.C.
Correspondence Address	DIANA K BORDEN GRAVES DOUGHERTY HEARON & MOODY PC 401 CONGRESS AVE STE 2200 AUSTIN, TX 78701-3790 UNITED STATES trademarks@gdhm.com
Submission	Other Motions/Papers
Filer's Name	Diana K. Borden
Filer's e-mail	trademarks@gdhm.com
Signature	/Diana K. Borden/
Date	05/01/2012
Attachments	TTAB 912 03690 Response to Notice of Default.pdf (2 pages)(56000 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

THE LANCE ARMSTRONG FOUNDATION)	
Opposer)	
v. ,)	Opposition No. 912 03690
THE HENDLER LAW FIRM, P.C.,)	03050
Applicant)	
)	

APPLICANT'S RESPONSE TO NOTICE OF DEFAULT

This is in response to the Notice of Default dated April 2, 2012.

- 1. The failure to answer was inadvertent. After the Notice of Opposition was filed, counsel for Applicant and counsel for Opposer conferred by telephone to discuss issues and the possibility of settlement, and counsel for Applicant's understanding of the status is that both sides had agreed to confer with clients and resume discussions.
- 2. Concurrently with the filing of this Response, Applicant is filing its Answer and a Motion to Suspend the proceedings to permit settlement discussions to continue.
 - 3. Applicant requests that the Notice of Default be set aside.

Respectfully submitted

Graves, Dougherty, Hearon & Moody,

P.C.

401 Congress Ave., Suite 2200

Austin, TX 78701

Diana K. Borden

Counsel for applicant

The Hendler Law Firm, P.C.

Texas State Bar No. 02658000

CERTIFICATE OF SERVICE

I hereby certify that on by Certified Mail, RRR,	Mars 1, 2012	, the foregoing	was served by maili	ng a copy thereof
by Certified Mail, RRR,	and First Class M	ail addressed to:		

Mr. Joel Kauth Kauth, Pomeroy, Peck & Bailey 2400 E. Katella Ave., Suite 1050 Anaheim, CA 92806

With a copy, via e-mail, to: pto@kppb.com and to joel.kauth@kpbb.com

Diana K. Borden